

PLANNING COMMISSION MINUTES OF MARCH 13, 2006

2006-0017: Application for a Design Review on a 9,920 square-foot site to allow demolition of an existing home and construction of a new two-story house totaling 4,461 square feet where 4,050 square feet may be allowed without Planning Commission review. The property is located at **1391 Ramon Drive** (near Elizabeth Way) in an R-1 (Low-Density Residential) Zoning District. (APN: 313-01-041) JM

Andy Miner, Principal Planner, presented the staff report. He said staff recommends approval of the Design Review with conditions.

Comm. Klein referred Attachment B, Condition of Approval (COA) 1.D regarding storm water runoff pollution prevention issues requiring that downspouts be routed to landscaped areas. He commented that he had not seen this type of requirement on smaller projects. **Trudi Ryan**, Planning Officer, said that Planning is moving towards including more storm water controls in the conditions. She said that the Planning Commission will start seeing more pollution prevention measures included as the trigger size for lots to include these measures has been decreased from an acre to 10,000 square feet. She said this lot is a little smaller than the trigger size, but the development is an opportunity to include the measures. **Comm. Klein** commented that on his site visit he noticed a large orange tree in the backyard that does not appear to be a protected tree. **Ms. Ryan** said a protected tree would need to have a trunk at least one foot across which is a large trunk for an orange tree.

Comm. Babcock said that accessory living units are allowed due to zoning codes and referring to the proposed structure with a high floor area ratio (FAR) asked whether it would be appropriate to make a COA preventing an addition of a future accessory unit. **Mr. Miner** said that a COA could be added, but any accessory living unit would be counted towards the FAR and with the proposed FAR already being over 45% that any proposed addition would have to be heard by Planning Commission and would subject to the Commission's discretion.

Chair Hungerford opened the public hearing.

Kevin Yamada, applicant, said that the current house is 55 years old and he bought this house knowing the lot had potential. He said he and his wife have carefully thought through the design to build a home that will meet the long-term goals for their family. He discussed the particular designs and goals and said they have worked carefully with their contractor to both meet the design needs and to keep the construction affordable. He said that they agree with all of the COAs with two exceptions and are requesting COA 5.B be modified to allow the removal of the tree in the front yard as it is in the middle of the proposed driveway of the home. He said they would provide a suitable replacement tree.

He also asked for a modification to COA 1.G requesting that they not have to reduce the floor area of the second floor, citing reasons for the request, including the compatibility of the design with his neighbor's home and cost of the redesign. He thanked the Planning Commission their consideration of the proposed plans and staff for their assistance with the process.

Comm. Simons asked Mr. Yamada if the plans could be flipped so the driveway was on the other side and the tree could be protected. Mr. Yamada explained that the proposed design allows for optimal sunlight in the kitchen and flipping the plans would not be the optimal orientation for the home design.

Mr. Yamada addressed Comm. Klein's concern about the orange tree and said that they plan to keep all the fruit trees in the backyard including the orange tree.

Chair Hungerford closed the public hearing.

Chair Hungerford asked staff about COA 1.G and how much staff wants to reduce the second floor. Ms. Ryan said the Single Family Home Design Guidelines suggest a relationship of the second floor to the first floor of 35%. Ms. Ryan said that possibly the roof could be redesigned to reduce the bulk of the building and said that staff felt that the home was large based on the guidelines and would like to see a reduction.

Comm. Babcock moved for Alternative 2 to approve the Special Development Permit with modified conditions. She said she would like to modify COA 5.B. to allow the tree in front yard to be removed and require the City guidelines be followed for replacing the tree. She said she would like COA 3.A to be modified to read, "No Accessory Living Units are to be allowed on the site." **Comm. Simons seconded and requested the addition of language to COA 5.B to include that "the replacement tree be a large species, native tree as appropriate for the site."** This language was acceptable to the maker of the motion. Ms. Ryan commented that due to the State regulations, the Planning Commission cannot prohibit a future Accessory Living Unit. Comm. Babcock said she recalls prohibiting Accessory Living Units in the past. Ms. Ryan said that State law changed a few years ago. **Comm. Babcock dropped the modification to the COA 3.A. Comm. Simons accepted the change.**

Comm. Babcock said that she thinks this house is nicely designed, a little large, but very pretty and on a good size lot.

Chair Hungerford asked Comm. Babcock about COA 1.G regarding reduction of the second story floor area and why she chose not to modify it. She said she did not modify COA 1.G as staff commented that reducing it down would not necessarily result in a reduction of the square footage, but would be a reduction

of the bulk of the appearance. Comm. Babcock said that she felt the second story floor should be looked at for more reduction.

Final Action:

Comm. Babcock made a motion on 2006-0017 to approve the Special Development Permit with modified conditions; to modify Condition of Approval 5.B to allow the tree in the front yard to be removed and that the replacement tree be a large species, native tree as appropriate for the site and replaced according to the City's tree replacement guidelines. Comm. Simons seconded.

Motion carried unanimously, 6-0.

This item is appealable to City Council no later than March 28, 2006.